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*Attorneys for WebGroup Czech Republic, a.s.
and NKL Associates s.r.o.*

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, NORTHERN DIVISION

DISH TECHNOLOGIES L.L.C. and SLING
TV L.L.C.,

Plaintiffs,

v.

WEBGROUP CZECH REPUBLIC, A.S. and
NKL ASSOCIATES, S.R.O.,

Defendants.

**DECLARATION OF ROBERT
SEIFERT IN SUPPORT OF MOTION
TO TRANSFER OF WEBGROUP
CZECH REPUBLIC, A.S. AND NKL
ASSOCIATES, S.R.O**

Case No. 2:23-cv-00553-RJS-JCB

Judge Robert J. Shelby

Magistrate Judge Jared C. Bennett

I, Robert Seifert, declare:

1. I am the administrative director for WebGroup Czech Republic, a.s. (“WGCZ”) and NKL Associates, s.r.o. (“NKL”) (together, “Defendants”).

2. I make this declaration of the following facts from my direct, personal knowledge, except to the extent facts are stated upon information and belief, and I could and would competently testify as to the following facts if called as a witness.

3. I understand that Plaintiffs in this action allege infringement of certain patents related to adaptive bitrate streaming (“ABR”). Compl. ¶ 41. I understand that ABR is a protocol for streaming data from a server to a client device. *Id.* ¶ 45. I understand that in ABR, the client device (rather than the server) controls the streaming process. *Id.* ¶ 48. I understand that Plaintiffs

accuse Defendants' websites, including XVideos and XNXX, of infringing these patents because they allow streaming using multiple streams. *Id.* ¶ 6 & Exs. H-I.

4. None of the witnesses relevant to these allegations from WGCZ, or NKL is located in Utah. None of the evidence relevant to these allegations from WGCZ or NKL is located in Utah.

5. WGCZ and NKL are both Czech Republic corporations with their principal place of business in Prague, Czech Republic. None of the employees responsible for technical aspects of websites operated by Defendants is located in Utah. None of the Defendants' personnel responsible for supporting WGCZ and NKL websites is located in Utah. Rather, these employees reside in Prague, Czech Republic or elsewhere within the European Union. Likewise, neither WGCZ nor NKL maintain, or have maintained in the past, any offices or books or records in Utah.

6. WGCZ and NKL do not operate their own servers. The servers for WGCZ's and NKL's websites are located in Amsterdam, Netherlands and are maintained by a third party, ServerStack, Inc. I am not aware of any ServerStack employees residing in Utah or of ServerStack having any operations in Utah.

7. It is significantly cheaper and easier to travel to Delaware from the Czech Republic. Delaware is less than two hours away from New York by train, which has direct flights from Prague. Travel to Utah from Prague requires at least two flight transfers and is significantly more expensive.

I declare under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.

EXECUTED on February 13, 2024, at Prague, Czech Republic.

/s/ Robert Seifert
Robert Seifert

CERTIFICATE OF SERVICE

I hereby certify that on February 13, 2024, the foregoing **DECLARATION OF ROBERT SEIFERT IN SUPPORT OF MOTION TO TRANSFER OF WEBGROUP CZECH REPUBLIC, A.S. AND NKL ASSOCIATES, S.R.O** was served on the person(s) named below via the Court's electronic filing system:

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_____/s/ Melina Hernandez